FILED
2020 APR 07
KING COUNTY
SUPERIOR COURT CLERK

CASE #: 20-2-07561-2 KNT

Superior Court of Washington
For King County

Andres Alberto Munt-Lovell, 01/31/1984
Petitioner
vs.
Nicholas Paul Munt-Lovell, 01/08/1978
Respondent

No. 20-2-07561-2 KNT

Petition for Order for Protection (PTORPRT)

1. ☑ I am a victim of domestic violence committed by the respondent.
   ☐ A member of my family or household is a victim of domestic violence committed by the respondent.
   I am a ☐ guardian ☐ guardian ad litem ☐ next friend of a minor who is 13 to 15 years of age and is a victim of domestic violence in a dating relationship with a person age 16 or older. The name of the minor victim is . This person's identifying information is provided in paragraph 5 below.

2. ☑ The victim lives in this county.
   ☐ The victim left their residence because of abuse and this is the county of their new or former residence.

3. The victim's age is: ☐ Under 16 ☐ 16 or 17 ☑ 18 or over
   Respondent's age is: ☐ Under 16 ☐ 16 or 17 ☑ 18 or over

4. The victim's relationship with the respondent is:
   ☑ spouse or former spouse
   ☐ parent of a child in common
   ☐ current or former domestic partner
   ☐ current or former cohabitant as part of a dating relationship
   ☐ current or former dating relationship
   ☐ stepparent or stepchild
   ☐ current or former cohabitant as roommate
   ☐ in-law
   ☐ parent or child
   ☐ blood relation other than parent or child

5. Identification of Minors (if applicable) ☑ No Minors involved.

Name (First, Middle Initial, Last)	Age	Race	Sex	How Related to Petitioner Respondent		Resides with

6. Other court cases or other restraining, protection or no-contact orders involving me, the minors and the respondent:

Case Name			
Case Number			
Court/County			

I Request an Order for Protection following a hearing that will:

[1] ☑ ***Restrain*** respondent from causing any physical harm, bodily injury, assault, including sexual assault, and from molesting, harassing, threatening, or stalking ☑ me ☐ the minors named in paragraph 5 above ☐ these minors only:

(If the court orders this relief, and the respondent is your spouse or former spouse, current or former domestic partner, the parent of a child in common, or a current or former cohabitant as part of a dating relationship, the respondent will not be able to obtain or possess a firearm, other dangerous weapon, ammunition, or concealed pistol license under state or federal law for the duration of the order.)

[2] ☑ ***Restrain*** respondent from harassing, following, keeping under physical or electronic surveillance, cyberstalking as defined in RCW 9.61.260, and using telephonic, audiovisual, or other electronic means to monitor the actions, locations, or wire or electronic communication of ☑ me ☐ the minors named in paragraph 5 above ☐ only the minors listed below; ☐ members of the victim's household listed below ☐ the victim's adult children listed below:

3 ☑ ***Restrain*** respondent from coming near and from having any contact whatsoever, in person or through others, by phone, mail, or any means, directly or indirectly, except for mailing of court documents, with ☑ me ☐ the minors named in paragraph 5 above, subject to any court-ordered visitation ☐ these minors only, subject to any court-ordered visitation:

4 ☑ ***Exclude*** respondent from ☑ our shared residence ☐ my residence ☐ my workplace ☐ my school ☐ the residence, day care, or school of ☐ the minors named in paragraph 5 above ☐ these minors only:

☐ other:

You have a right to keep your residential address confidential.

5 ☑ ***Direct*** respondent to vacate our shared residence and restore it to me.

6 ☑ ***Prohibit*** respondent from knowingly coming within, or knowingly remaining within ***500 feet*** (distance) of ☑ our shared residence ☐ my residence ☑ my workplace ☑ my school ☐ the day care or school of ☐ the minors named in paragraph 5 above. ☐ these minors only:

☐ other:

7 ☐ ***Grant*** me possession of essential personal belongings, including the following:

8 ☑ ***Grant*** me use of the following vehicle:
Year, Make & Model *2014 BMW X1*
License No. *AHSOKA*

9 ☐ ***Other***:

Protection involving a minor:

10 ☐ Subject to any court-ordered visitation, ***Grant*** me the care, custody and control of ☐ the minors named in paragraph 5 above ☐ these minors only:

11 ☐ ***Restrain*** respondent from interfering with my physical or legal custody of ☐ the minors named in paragraph 5 above ☐ these minors only:

12 ☐ ***Restrain*** the respondent from removing from the state: ☐ the minors named in paragraph 5 above ☐ these minors only:
Additional Requests:
13 ☑ ***Direct*** the respondent to participate in appropriate treatment or counseling services.
14 ☑ ***Require*** the respondent to pay the fees and costs of this action.
15 ☐ ***Remain Effective*** longer than one year because respondent is likely to resume acts of domestic violence against me if the order expires in a year.
Protection involving pets.
16 ☑ ***Grant*** me exclusive custody and control of the following pet(s) owned, possessed, leased, kept, or held by me, respondent, or a minor child residing with either me or the respondent. (Specify name of pet and type of animal.): *Cats*.
17 ☑ ***Prohibit*** respondent from interfering with my efforts to remove the pet(s) named above.
18 ☑ ***Prohibit*** respondent from knowingly coming within, or knowingly remaining within ***500 feet*** (distance) of the following locations where the pet(s) are regularly found: ☑ petitioner's residence (You have a right to keep your residential address confidential.) ☐ Park ☐ other:
Protection from Firearms and Other Dangerous Weapons
19 ☑ **Require** the respondent to surrender any firearm or other dangerous weapon, or any concealed pistol license, and prohibit the respondent from obtaining or possessing a firearm or other dangerous weapon, or a concealed pistol license.
Notice: If you **are** the respondent's intimate partner, after actual notice and an opportunity to be heard at the hearing, the court may be required to order the respondent to surrender firearms, other dangerous weapons, or concealed pistol license.

I want emergency temporary protection effective immediately, that lasts (up to 14 days) until the court hearing:

☑ An emergency exists as described below. I request that a **Temporary Order for Protection** granting the relief requested above in 1) through 12) be issued immediately, without prior notice to the respondent, to be effective until the hearing.

☐ I also request temporary surrender of a firearm or other dangerous weapon without notice to the other party because irreparable injury could result if an order is not issued until the hearing.

What irreparable harm would result if an order is not issued immediately without prior notice to the respondent?

Spouse is mentally unstable and emotionally abusive. In the past year he has been arrested twice for DV. Although physical altercations have been mostly controlled, I am afraid that his substance abuse mixed with his instability will lead to damage of the property or myself.

I have been trying to resolve this for months in an amenable fashion. Nicholas has been offered to opportunity to enter rehab or an in patient psychiatric program and has refused.

Request for Special Assistance From Law Enforcement Agencies:
I request the court order the appropriate law enforcement agency to assist me in obtaining:
☐ Possession of my residence. ☐ Possession of the vehicle designated above.
☐ Possession of my essential personal belongings at ☐ the shared residence ☐ respondent's residence
☐ other location

☐ Custody of ☐ the minors named in paragraph 5 above ☐ these minors only (if applicable):

☐ Other:_____.

"Domestic violence" means physical harm, bodily injury, assault, including sexual assault, stalking, ***Or*** inflicting fear of imminent physical harm, bodily injury or assault between family or household members.

Statement: The respondent has committed acts of domestic violence as follows. (Describe specific acts of domestic violence and their approximate dates, beginning with the most recent act. You may want to include police responses.)
Describe the most recent violent act, fear or threat of violence, and why the temporary order should be entered today without notice to the respondent:
April 1-2 - Spouse has been continuously harassing and emotionally abusive. He has engaged in hours on end of gaslighting and emotional attacks. Due to his harmful behaviors I suffer from panic disorder. He will continuously harass me until I go into full blown panic attacks. I do not know when I can relax or feel remotely safe.

3/28 - Nicholas, who is HIV+, ejaculated inside of me without protection and proceeded to pretend he had no idea what had happened accusing me of making up the entire scenario.

3/22 - Hours of emotional abuse escalated to a physical altercation where I was thrown onto the

floor and one of my piercings was torn. I ended up in a full panic attack. The police were called by my mother who heard the entire event. However, there was no arrest as I was in the shower when they arrived.

Describe the past incidents where you experienced violence, where you were afraid of injury or where the respondent threatened to harm or kill you:

There were two DV incidents that resulted in arrests last year.

Describe any violence or threats towards children:

Describe any stalking behavior by respondent, including use of telephonic, audiovisual or electronic means to harass or monitor:

Nicholas has continually gone through our phone records to determine who I have been speaking to. He has used my electronics to monitor my chat history and has Interfered with our home surveillance equipment going as far as to delete videos

Describe medical treatment you received and for what:

Describe any threats of suicide or suicidal behavior by the respondent:

Nicholas has threatened suicide on multiple occasions. He has been taken to Valley Medical after being found unconscious on the street.

Does the respondent own or possess firearms? ☐ Yes ☑ No

Does the respondent use firearms, weapons or objects to threaten or harm you? Please describe:

Has the respondent used, displayed, or threatened to use a firearm or other dangerous weapon in a felony? Please describe:

Has the respondent previously committed an offense that makes him or her ineligible to possess a firearm under the provisions of RCW 9.41.040? Please describe:

Does possession of a firearm or other dangerous weapon by the respondent present a serious and imminent threat to public health or safety, or to the health or safety of any individual? Please describe:

If you are requesting that the protection order lasts longer than one year, describe the reasons why:

Other: _____

_____

_____

_____

_____.

(Continue on separate page if necessary.)

Check box if substance abuse is involved: ☐ alcohol ☑ drugs ☐ other:

☐ Personal service cannot be made upon respondent within the state of Washington.

I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Dated: *04/02/2020* at *Renton, WA*, Washington.

_____

Signature of Petitioner

You have a right to keep your residential address confidential. If you have one, please provide an address, other than your residence, where you may receive legal documents:

19611 140th Ave SE, Renton, WA, USA , 98058

CHILD CUSTODY INFORMATION SHEET NO: _____

If you are seeking protection for your child(ren) from domestic violence or are requesting custody of your child(ren), please answer the questions and provide the information requested in paragraphs A –E below and check the boxes about the court's jurisdiction that apply to your case:

Information for the courts:

A. Do the child(ren) listed in Paragraph 5 of the petition currently live with you? If not, with whom do the child(ren) currently live?	Yes	No
B. Do you know of <u>any</u> other court cases involving the child(ren)? If known, list: the court, the case number, the kind of case	Yes	No
C. Have you been involved in <u>any</u> other litigation concerning custody or visitation with the child(ren) in this or any other state? If known, list the court, the case number and the date the parenting plan, residential schedule, visitation schedule or custody decree was entered: the court, the case number, the date	Yes	No
D. Do you know of any persons, other than you and the respondent, who claims rights of custody or visitation with, the child(ren)? If known, list their names in the space provided below and their present addresses in the Confidential Information Form: <u>Name</u> <u>Name</u> <u>Name</u>	Yes	No
E. List the places where the children have lived during the past five years, the dates they lived there and the persons with whom they lived. (The present addresses of those persons must be listed in the required Confidential Information Form.)		

Jurisdiction:

This court has jurisdiction over this proceeding for the reasons below: [Check all the boxes that apply to your case.]

	This court has exclusive continuing jurisdiction. The court has made a child custody, parenting plan, residential schedule or visitation determination in this matter before and retains jurisdiction under RCW 26.27.211.

	This state is the home state of the children because: the children lived in Washington with a parent or a person acting as a parent for at least six consecutive months immediately before the beginning of this proceeding. the children are less than six months old and have lived in Washington with a parent or a person acting as parent since birth. any absences from Washington have been only temporary. Washington was the home state of the children within six months before the beginning of this proceeding and the children are absent from the state; but a parent or person acting as a parent continues to live in this state.
	The children and the parents, or the children and at least one parent or a person acting as a parent, have significant connections with this state other than mere physical presence; and substantial evidence is available in this state concerning the children's care, protection, training and personal relationships and the children have no home state elsewhere. the children's home state has declined to exercise jurisdiction on the ground that this state is the more appropriate forum under RCW 26.27.261 or 271.
	All courts in the children's home state have declined to exercise jurisdiction on the ground that a court of this state is the more appropriate forum to determine the custody of the children under RCW 26.27.261 or .271.
	No other state has jurisdiction.
	This court has temporary emergency jurisdiction over this proceeding because the children are present in this state and the children have been abandoned, or it is necessary in an emergency to protect the children because the children, or a sibling or parent of the children is subjected to or threatened with abuse. RCW 26.27.231.

I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Dated *04/02/2020* at *Renton, WA,* Washington

Signature

Andres Alberto Munt-Lovell
Petitioner

Case Name:_____

County:_____ Case No: 20-2-07561-2KNT

Firearm Identification Worksheet

(*You may attach this to the petition.*)

1. Does the respondent own or have access to firearm(s)? ☐ Yes ☑ No ☐ Unknown
2. Does the respondent have a concealed pistol license (CPL)? ☐ Yes ☐ No ☐ Unknown
3. When was the last time you saw the firearm(s)?
4. Do you know where the respondent keeps the firearm(s)? ☐ Yes ☑ No ☐ Unsure

   They are usually kept: (Circle all that apply)

   ☐ On His/Her Person ☐ In their Car ☐ In their Home ☐ Storage Unit ☐ In a Safe
5. Has the respondent used the firearm to threaten or intimidate you? ☐ Yes ☑ No

   - When did they last threaten you with it?
   - Did you report the incident to the police? ☐ Yes ☑ No
   - Which law enforcement agency?
6. On a scale from 1 to 5 (1 being "not very important" and 5 being "very important"), how important are firearms to the respondent?

☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5

7. What does the respondent generally use the firearm for? (Circle all that apply)

   ☐ Hunting ☐ Collecting ☐ Target Shooting ☐ Protection ☐ Other:
8. Does the respondent possess explosives? ☐ Yes ☑ No ☐ Unknown

_____

The following pictures are examples of the most common types of guns. If you recognize any of the guns below as similar to the one(s) the respondent has, **please circle it and write in the circle how many you think they have.**

Semi-automatic Handgun

☐

☐

Revolver

☐

☐

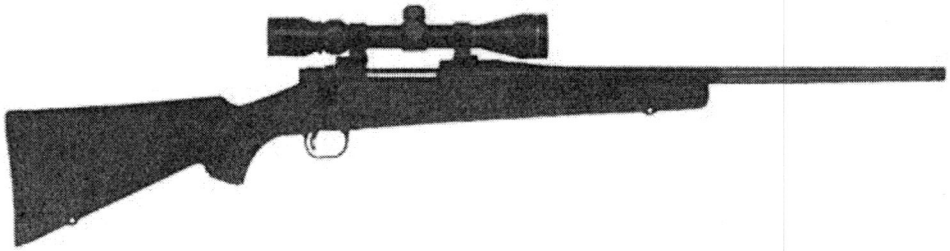
Shotgun

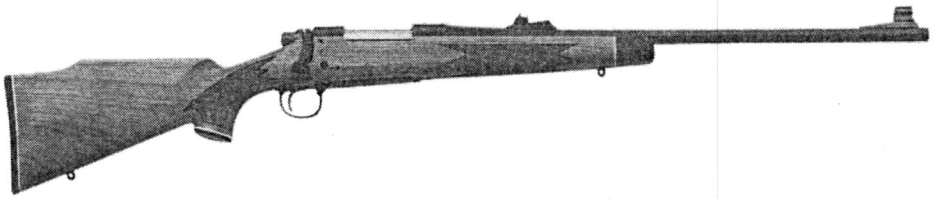
☐

☐

Rifle

☐



☐ 

Semi-automatic Rifle

☐

Signatures